

**WEDNESDAY, MARCH 22, 1978**

**SEVENTY-NINTH LEGISLATIVE DAY**

The House met at 10:00 a.m. and was called to order by Mr. Speaker McWherter.

The proceedings were opened with prayer by Herbert C. McCoy, Police Department Chaplain, Nashville, Tennessee.

Representative Chiles led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present ..... 95

Representatives present were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Martin, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 95.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 618, 1441, 1619, 1649, 1663, 1822, 1996, 2093, 2176, 2232, 2311, 2416, 2444, 2461 and 2467; also, Senate Joint Resolutions Nos. 153, 156, 160, 164, 165, 178, 184, 186, 190, 191, 192, 194, 195, 199, 200, 202, 206 and 211; all for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**SIGNED**

The Speaker announced that he had signed the following: Senate Bills Nos. 618, 1441, 1619, 1649, 1663, 1822, 1996, 2093, 2176, 2232, 2311, 2416, 2444, 2461 and 2467; Senate Joint Resolutions Nos. 153, 156, 160, 164, 165, 178, 184, 186, 190, 191, 192, 194, 195, 199, 200, 202, 206 and 211.

REPORT OF CHIEF ENGROSSING CLERK

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bills Nos. 11, 651, 1690, 1729, 1837, 1983, 2047, 2191, 2214, 2291, 2314, 2470 and 2499; and House Joint Resolutions Nos. 280, 285, 287, 307, 333, 350, 351, 361, 385, 391, 393, 394, 395, 396, 414, 419, 421, 427, 428, 440, 441, 443, 445, 446, 447, 471, 478, 483 and 499; for his action.

MARILYN EVELYN HAND,  
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.

1792 — To amend Title 8, Chapter 45, Code.

The Senate reconsidered passage of the bill, adopted Senate Amendment No. 1, then repassed the bill on third and final reading, as amended.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.

1918 — To regulate registration taxes on trailers owned by farmers.

The Senate reconsidered passage of the bill, adopted Senate Amendment No. 1, then repassed the bill on third and final reading, as amended.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.

614 — To amend Uniform Administrative Procedures Act;

2299 — To amend Title 13, Chapter 23, Code; both substituted for Senate Bills on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.

2478 — To amend Chapter 289, Private Acts, 1976.

The Senate took from table, reconsidered action in passing, amended, then repassed the bill on third and final reading, as amended.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

Mr. Hall asked to be recorded as changing his vote from "aye" to "no" on Amendment 3 to House Bill No. 2070.

## CALENDAR

House Bill No. 909 — To provide interest payments, idle funds invested by Clerks of Courts.

On motion, House Bill No. 909 was made to conform with Senate Bill No. 932.

On motion, Senate Bill No. 932, on same subject, was substituted for House Bill No. 909.

Ms. Gaia moved that Senate Bill No. 932 be passed on third and final reading.

Ms. Gaia moved to amend as follows:

## AMENDMENT NO. 1

Amend Senate Bill No. 932 be deleting section 2 in its entirety and by substituting instead the following:

Section 2. For investing funds as provided in section 1 of this act, the clerk shall receive as a fee five percent (5% ) of the earnings from such investment.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 932, as amended, passed its third and final reading by the following vote:

Ayes.....	90
Noes.....	0
Present and not voting .....	2

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Buck, Burks, Burleson, Burnett (Fentress), Bussart, Butler, Byrd, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gill, Good, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Martin, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 90.

Representatives present and not voting were: Carter and Robertson — 2.

A motion to reconsider was tabled.

Mr. Nolan moved that House Bill No. 2379 be placed on the Calendar for Monday, March 27, 1978, which motion prevailed.

House Bill No. 1962 — To amend Section 57-135, Code.

Mr. Nolan moved that House Bill No. 1962 be passed on third and final reading.

Mr. Nolan moved to amend as follows:

### AMENDMENT NO. 1

Amend House Bill No. 1962 be redesignating Sections 15 and 16 to be Sections 16 and 17, and by adding a new Section 15 as follows:

Section 15. Tennessee Code Annotated, Section 57-135, is amended by deleting the section in its entirety and by substituting instead the following:

(a) Any county in this state where a distillery is located shall receive four cents (4¢) per liter of the tax imposed by subsection (2) of Tennessee Code Annotated, Section 57-131 collected on all sales in this state of the spirits manufactured by such distillery.

(b) Except for the distribution as provided in subsection (a), collections of the tax imposed by subsections (1) and (2) of Tennessee Code Annotated, Section 57-131 shall be distributed eighty-two and one-half percent (82.5%) to the general fund and seventeen and one-half percent (17.5%) to the counties. The amount distributed to the counties shall be apportioned among the counties three-fourth (3/4) in proportion to their population and one-fourth (1/4) in proportion to their area.

(1) In the 1978-1979 fiscal year one and sixteen hundredeths percent (1.16%) of the amount distributed to the general funds shall be earmarked to the department of mental health for the purpose of assisting municipalities and counties in carrying out the provisions of the "Comprehensive Alcohol and Drug Treatment Act of 1973". In the 1979-1980 fiscal year this amount shall be two and thirty-three hundredeths percent (2.33%) of the amount so distributed. In the 1980-1981 fiscal year this amount shall be three and one-half percent (3.5%) of the amount so distributed.

(2) Thirty percent (30%) of the amount distributed to counties having a population of more than two hundred fifty thousand (250,000) according to the 1970 federal census or any subsequent federal census, shall be paid by such counties to any municipalities within such counties that have a population of one hundred fifty thousand (150,000) according to the 1970 federal census or any subsequent federal census.

On motion, the amendment was adopted.

Thereupon, House Bill No. 1962, as amended, passed its third and final reading by the following vote:

Ayes.....	91
Noes.....	0

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Williams, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter — 91.

A motion to reconsider was tabled.

House Bill No. 1754 — To make certain provisions, tax exemption of school buses.

Mr. Jensen moved that House Bill No. 1754 be passed on third and final reading.

Mr. Bragg moved to amend as follows:

#### AMENDMENT NO. 1

Amend House Bill No. 1754 by adding to the end of the amendatory language in Section 1 the following:

This act shall apply only to contracts entered into subsequent to the effective date of this act.

On motion, the amendment was adopted.

Thereupon, House Bill No. 1754, as amended, passed its third and final reading by the following vote:

Ayes.....	86
Noes.....	0

Representatives voting aye were: Atchley, Bell, Bewley, Bissell, Blackburn, Bragg, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, Lanier, Lashlee, Ledford, Longley, Love, Martin, Miller, Moore, Murphy (Davidson), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Williams, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 86.

A motion to reconsider was tabled.

Mr. Lashlee moved that House Bill No. 1798 be re-referred to the Committee on Calendar and Rules, which motion prevailed.

Mr. Jensen moved that House Bill No. 1079 be placed on the Calendar for Monday, March 27, 1978, which motion prevailed.

House Bill No. 1756 — To make certain provisions, Judicial Standards Commission.

On motion, House Bill No. 1756 was made to conform with Senate Bill No. 1680.

On motion, Senate Bill No. 1680, on same subject, was substituted for House Bill No. 1756.

Mr. Jensen moved that Senate Bill No. 1680 be passed on third and final reading.

Mr. Murphy (Shelby) moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 1680 by deleting Section 1 in its entirety and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 17-811 (2), is amended by deleting the last sentence of the subsection and by substituting instead the following:

Notwithstanding the provisions of Tennessee Code Annotated, Title 8, Chapter 44, or any other provision of law requiring open meetings, all complaints filed, preliminary investigations conducted, and notices issued pursuant to this subsection shall be confidential and privileged.

FURTHER, Amend by deleting Section 3 in its entirety and by substituting instead the following:

SECTION 3. Tennessee Code Annotated, Section 17-816, is amended by deleting the last sentence of that subsection and by substituting instead the following:

If such charges prove to be groundless, the matter shall be considered closed. All proceedings, testimony, and evidence presented to the Commission on such charges shall be privileged.

On motion, the amendment was adopted.

Mr. Murphy (Shelby) moved to amend as follows:

AMENDMENT NO. 2

Amend Senate Bill No. 1680 by adding to Section 1, as amended, the following:

Further amend Tennessee Code Annotated, Section 17-811(2), by adding to the end of that section the following:

“No person shall be civilly liable for his testimony given before the Commission.”

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 1680, as amended, passed its third and final reading by the following vote:

Ayes.....	88
Noes.....	2
Present and not voting .....	1

Representatives voting aye were: Atchley, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Good, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Martin, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Shockley, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter — 88.

Representatives voting no were: Phillips and Small — 2.

Representative voting no was: Bell — 1.

A motion to reconsider was tabled.

House Bill No. 2261 — To amend Title 64, Chapter 24, Code.

On motion, House Bill No. 2261 was made to conform with Senate Bill No. 1969.

On motion, Senate Bill No. 1969, on same subject, was substituted for House Bill No. 2261.

Mr. Darnell moved that Senate Bill No. 1969 be passed on third and final reading.

Mr. Darnell moved to amend as follows:

#### AMENDMENT NO. 1

Amend Senate Bill No. 1969 by adding a subsection to Section 2 of the bill as follows:

(3) The recordholder of the indebtedness may assign the debt and require the debtor to pay or make payments on the indebtedness to the assignee provided the recordholder notifies the debtor, by registered mail or equivalent form of written notice, of the name and address of the assignee. If the recordholder fails to make such written notification, then a payment on the principal and interest to the recordholder or satisfaction or cancellation of the lien or instrument evidencing it that is collected or entered by the recordholder shall reduce the debt accordingly and shall release the same as to subsequent creditors and purchasers for value who are without notice.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 1969, as amended, passed its third and final reading by the following vote:

Ayes.....	75
Noes.....	7
Present and not voting .....	6

Representatives voting aye were: Atchley, Bell, Bewley, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Bussart, Butler, Byrd, Carter, Cawood, Clark,

Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), DeBerry, DePriest, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Hillis, Hood, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, McAfee, Miller, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Pickering, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Shockley, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Tanner, Wallace, Watson, Webb, Withers, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter — 75.

Representatives voting no were: Ashford, Hurley, McKinney, Phillips, Robertson, Small and Turner — 7.

Representatives present and not voting were: Burnett (Sumner), Chiles, Martin, Moore, Richards and Williams — 6.

A motion to reconsider was tabled.

House Bill No. 2357 — To clarify status of law revision.

On motion, House Bill No. 2357 was made to conform with Senate Bill No. 2331.

On motion, Senate Bill No. 2331, on same subject, was substituted for House Bill No. 2357.

Mr. Jensen moved that Senate Bill No. 2331 be passed on third and final reading, which motion prevailed by the following vote:

Ayes.....	90
Noes.....	0

Representatives voting aye were: Atchley, Bell, Bewley, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Martin, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Praitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter — 90.

A motion to reconsider was tabled.

On motion of Mr. Fisher, House Bill No. 2247 was withdrawn from the House.

Mr. Fisher moved that House Bill No. 1973 be placed on the Calendar for Monday, March 27, 1978, which motion prevailed.

House Bill No. 2303 — To amend Section 6-2619, Code.

On motion, House Bill No. 2303 was made to conform with Senate Bill No. 1979.

On motion, Senate Bill No. 1979, on same subject, was substituted for House Bill No. 2303.



Mr. Murphy (Davidson) moved that Senate Bill No. 1979 be passed on third and final reading, which motion prevailed by the following vote:

Ayes.....	87
Noes.....	0

Representatives voting aye were: Atchley, Bell, Bewley, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burlison, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Elkins, Ellis, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, Love, McAfee, Martin, Miller, Moore, Murphy (Davidson), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Shockley, Small, Smith, Spence, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Williams, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter — 87.

A motion to reconsider was tabled.

House Bill No. 2034 — To amend Section 67-3012, Code.

Mr. Murphy (Davidson) moved that House Bill No. 2034 be passed on third and final reading.

Mr. Bragg moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 2034 by substituting in Section 1 the words "the following paragraphs" for the words "an additional paragraph" and by adding the following paragraph at the end of the amendatory language of Section 1:

There shall also be exempt from the tax imposed by this chapter the sale of human blood, blood plasma, or any part thereof by any institution or organization which has received a determination of exemption from the Internal Revenue Service under Section 501 (c) (3) of the Internal Revenue Code.

On motion, the amendment was adopted.

Mr. Bragg moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 2034 by deleting Section 1, as amended, in its entirety and by substituting instead a new Section 1 as follows:

Section 1. Tennessee Code Annotated, Section 67-3012, is amended by adding an additional paragraph at the end of the section as follows:

There shall also be exempt from the tax imposed by this chapter the sale of human blood, blood plasma, or any part thereof by any institution or organization which has received a determination of exemption from the Internal Revenue Service under Section 501 (c) (3) of the Internal Revenue Code.

On motion, the amendment was adopted.

Thereupon, House Bill No. 2034, as amended, passed its third and final reading by the following vote:

Ayes.....	86
Noes.....	0

Representatives voting aye were: Ashford, Atchley, Bell, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davis, DeBerry, DePriest, Elkins, Ellis, Fisher, Ford (Cocke), Ford (Shelby), Fuqua, Good, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Martin, Miller, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Tanner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 86.

A motion to reconsider was tabled.

House Bill No. 1828 — To regulate tax on corporate earnings.

Mr. Darnell moved that House Bill No. 1828 be passed on third and final reading, which motion prevailed by the following vote:

Ayes.....	86
Noes.....	0
Present and not voting .....	1

Representatives voting aye were: Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gill, Good, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Love, McAfee, McKinney, Miller, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wood, Work, Yelton and Mr. Speaker McWherter — 86.

Representative present and not voting was: Cobb — 1.

A motion to reconsider was tabled.

House Bill No. 1834 — To make provisions, motor vehicles.

Mr. King moved that House Bill No. 1834 be passed on third and final reading.

Mr. Murphy (Davidson) moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1834 by deleting it in its entirety and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 59, Chapter 3 is amended by adding the following Section:

SECTION . Prior to the issuance of a certificate of title for a motor vehicle, the Tennessee Department of Vehicle Registration shall determine, by computer or otherwise, if the vehicle has been stolen.

On motion, the amendment was adopted.

Thereupon, House Bill No. 1834, as amended, passed its third and final reading by the following vote:

Ayes.....	79
Noes.....	6
Present and not voting .....	5

Representatives voting aye were: Ashford, Atchley, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Bussart, Butler, Byrd, Carter, Chiles, Clark, Cobb, Copeland, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Elkins, Ellis, Fleming, Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Hillis, Hood, Hurley, Kernell, King, Lanier, Lashlee, Ledford, Longley, Love, McKinney, Martin, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Pickering, Rhinehart, Richards, Richardson, Robinson (Davidson), Robinson (Hamilton), Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Tanner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 79.

Representatives voting no were: Fisher, Ford (Cocke), Phillips, Robertson, Scruggs and Small — 6.

Representatives present and not voting were: Bell, Cawood, Johnson, McAfee and Turner — 5.

A motion to reconsider was tabled.

House Bill No. 2019 — To regulate tax exemption, income from stocks and bonds.

Mr. Fleming moved that House Bill No. 2019 be passed on third and final reading.

Mr. Clark moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 2019 by adding the following new section and renumbering the following sections appropriately:

Section . Tennessee Code Annotated, section 67-2605 is further amended by adding the following new subsection:

( ) Effective on all returns filed after December 31, 1978, income derived from bonds sold by a church for a church building shall be exempt from the income tax imposed by this chapter.

On motion, the amendment was adopted.

Mr. Fleming moved to amend as follows:

#### AMENDMENT NO. 2

Amend House Bill No. 2019 by

(a) Deleting Section 1 in its entirety and substituting in lieu thereof the following:

Section 1. Tennessee Code Annotated, Section 67-2605 is amended by deleting from subsection (a) the phrase "twenty-five dollars (\$25.00)" and substituting in lieu thereof the phrase "two hundred dollars (\$200.00)."

(b) Adding a new Section 2 reading as follows:

SECTION 2. Tennessee Code Annotated, Section 67-2605 is amended by deleting from subsection (b) the phrases "four thousand eight hundred dollars (\$4800)" and "six thousand dollars (\$6,000)" and substituting in lieu thereof the phrases "six thousand dollars (\$6,000)" and "seven thousand two hundred dollars (\$7,200)", respectively.

(c) Redesignating the present Section 2 as Section 3.

On motion, the amendment was adopted.

Mr. Fleming moved to amend as follows:

#### AMENDMENT NO. 3

Amend House Bill No. 2019 by adding a new Section thereto reading as follows:

SECTION . Tennessee Code Annotated, Section 67-2605(b), amended by adding a new sentence thereto reading as follows:

Any married person claiming the exemption provided in this section must file a joint return.

On motion, the amendment was adopted.

Mr. Clark moved to amend as follows:

#### AMENDMENT NO. 4

Amend House Bill No. 2019 by adding a new Section to read:

"Section . If any provisions of this act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provisions or application, and to that end the provisions of this act are declared to be severable."

On motion, the amendment was adopted.

Thereupon, House Bill No. 2019, as amended, passed its third and final reading by the following vote:

Ayes.....	93
Noes.....	0

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Hillis, Hood, Hurley, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, McAfee, McKinney, Martin, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 93.

A motion to reconsider was tabled.

House Bill No. 989 — To make provisions, tax exemptions, elderly.

On motion, House Bill No. 989 was made to conform with Senate Bill No. 625.

On motion, Senate Bill No. 625, on same subject, was substituted for House Bill No. 989.

Mr. Williams moved that Senate Bill No. 625 be passed on third and final reading.

Mr. Fleming moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 625 by changing the words and figure “seven thousand dollars (\$7,000)” to read “ten thousand dollars (\$10,000).”

AND FURTHER AMEND, by changing the year “1977” in Section 2 to “1978”.

On motion, the amendment was adopted.

Mr. Williams moved that Senate Bill No. 625 be placed on the Calendar for Monday, March 27, 1978, which motion prevailed.

House Bill No. 2389 — To provide for reciprocal agreements, educational institutions.

Mr. Pickering moved that House Bill No. 2389 be passed on third and final reading.

Mr. Bragg moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 2389 by redesignating Sections 4 and 5 to be Sections 5 and 6 and by adding a new Section 4 as follows:

Section 4. It is the legislative intent that no reciprocity agreement shall be entered into between the state of Tennessee and any other state which is not in conformance with the provisions of this act.

On motion, the amendment was adopted.

Mr. Bragg moved to amend as follows:

### AMENDMENT NO. 2

Amend House Bill No. 2389 by adding a new section immediately before the effective date provision as follows:

Section . If any provision of this act or the application thereof is found to be violative of any constitutional provision, it is hereby declared to be the legislative intent that the provisions hereof are severable, and that the remaining provisions would have been enacted without the matter or provision found to be invalid.

On motion, the amendment was adopted.

Thereupon, House Bill No. 2389, as amended, passed its third and final reading by the following vote:

Ayes.....	71
Noes.....	13
Present and not voting .....	7

Representatives voting aye were: Atchley, Bell, Bishop, Bissell, Bragg, Buck, Burnett (Fentress), Burnett (Sumner), Butler, Carter, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fleming, Ford (Shelby), Fuqua, Gaia, Gill, Hall, Hillis, Hurley, Jensen, Johnson, Kernell, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Rhinehart, Richards, Richardson, Robinson (Davidson), Robinson (Hamilton), Shockley, Small, Smith, Spence, Stallings, Starnes, Steinhauer, Tanner, Watson, Webb, Withers, Wood, Work and Mr. Speaker McWherter — 71.

Representatives voting no were: Bewley, Blackburn, Burleson, Byrd, Cawood, Fisher, Ford (Cocke), Good, Hood, Robertson, Wallace, Wolfe and Yelton — 13.

Representatives present and not voting were: Ashford, Brewer, Bussart, Scruggs, Stafford, Turner and Williams — 7.

A motion to reconsider was tabled.

Mr. McKinney moved that the House stand in recess until 1:00 p.m., which motion prevailed by the following vote:

Ayes.....	55
Noes.....	23
Present and not voting .....	4

Representatives voting aye were: Ashford, Bell, Bewley, Bissell, Blackburn, Buck, Burks, Burleson, Burnett (Sumner), Bussart, Clark, Cobb, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Hood, Johnson, Lanier, Lashlee, Love, McKinney, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Pickering, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Shockley, Steinhauer, Tanner, Wallace, Watson, Webb, Williams, Work and Yelton — 55.

Representatives voting no were: Atchley, Burnett (Fentress), Byrd, Cawood, Chiles, Cope-land, Fisher, Hall, Hillis, Hurley, Kernell, Ledford, Longley, McAfee, Ozment, Richards, Robertson, Small, Stafford, Stallings, Turner, Wolfe and Wood — 23.

Representatives present and not voting were: Bishop, Brewer, Spence and Mr. Speaker McWherter — 4.

The recess having expired, the House was called to order by Mr. Speaker McWherter.

On motion, the roll call was dispensed with.

### MESSAGE FROM THE GOVERNOR

MR. SPEAKER:

I am directed by the Governor to return herewith: House Bills Nos. 1690, 2378, 2459 and 2499, and House Joint Resolution Nos. 280, 285, 287, 350, 351, 361, 391, 393, 394, 395, 396, 414, 419, 421, 427, 428, 440, 441, 443, 445, 446, 447, 471, 478 and 499 with his approval.

EDDIE SISK,  
Counsel to the Governor.

### MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to request the return of House Bill No. 2564, for further consideration.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

On motion, House Bill No. 2564 was returned to the Senate as requested.

### MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.

1586 — To amend Section 38-1201, Code;

1976 — To amend Sections 13-1607 and 13-1608, Code;

2275 — To amend Section 67-3012, Code; all substituted for Senate Bills on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.

1567 — To define county trustee duties, certain purchases.

The Speaker appointed a Conference Committee composed of Senators O'Brien, Sullivan and Davis to confer with a like Committee from the House in resolving the differences of the two bodies on House Bill No. 1567.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.

1668 — General Appropriations Bill.

The Speaker appointed a Conference Committee composed of Senators Henry, Hamilton, Garland, Dunavant, Baird (Wilson), Baird (Roane), Ford and Sullivan to confer with a like Committee from the House in resolving the differences of the two bodies on House Bill No. 1668.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills, Nos.

572 — To amend Section 59-439, Code;

1346 — To amend Sections 64-2841 and 64-2842, Code;

1764 — To amend Section 8-720, Code;

1825 — To amend Section 13-1404, Code;

1835 — To amend Section 40-3411, Code;

1857 — To appropriate funds for travel, certain patients, St. Jude Hospital;

1914 — To amend Title 53, Chapters 20 and 43, Code;

2002 — To amend Title 64, Code;

2149 — To amend Title 40, Chapter 16, Code;

2158 — To make certain provisions, offense of rape;

2307 — To amend Chapter 14, Title 14, Code;



2313 — To amend Title 4, Chapter 3, Code;

2492 — To amend Chapter 49, Private Acts, 1969; all substituted for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

### MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.

2564 — To amend Charter, Humboldt.

The Senate reconsidered passage of the bill, adopted Senate Amendment No. 1, then passed the bill on third and final reading, as amended.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

### ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 847, 1595, 1748, 1778, 1906, 1911, 2042, 2144, 2517, 2527, 2529, 2530 and 2532; House Resolutions Nos. 114, 119, 135, 138, 139 and 141; and House Joint Resolutions Nos. 279, 282, 331, 340, 353, 360, 366, 402, 416, 424, 429, 444, 450, 462, 482, 485, 495, 497, 498, 500, 501, 502, 507, 508 and 509; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,  
Chief Engrossing Clerk.

### SIGNED

The Speaker announced that he had signed the following: House Bills Nos. 847, 1595, 1748, 1778, 1906, 1911, 2042, 2144, 2517, 2527, 2529, 2530 and 2532; House Resolutions Nos. 114, 119, 135, 138, 139 and 141; and House Joint Resolutions Nos. 279, 282, 331, 340, 353, 360, 366, 402, 416, 424, 429, 444, 450, 462, 482, 485, 495, 497, 498, 500, 501, 502, 507, 508 and 509.

Mr. Burleson moved that the rules be suspended for the purpose of introducing House Resolution No. 154 out of order, which motion prevailed.

House Resolution No. 154 — Relative to expressing appreciation to Fred C. Atchley — By Burleson, Ashford, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Henry, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Martin, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering,

Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Sterling, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter.

On motion, the rules were suspended for the immediate consideration of the resolution.

Mr. Burleson moved that House Resolution No. 154 be adopted, which motion prevailed by the following vote:

Ayes.....	98
Noes.....	0

Representatives voting aye were: Ashford, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Henry, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Martin, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Sterling, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 98.

A motion to reconsider was tabled.

Mr. McAfee moved that the House stand in recess for the purpose of honoring Representative Fred C. Atchley, which motion prevailed.

The recess having expired, the House was called to order by Mr. Speaker McWherter.

On motion, the roll call was dispensed with.

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 1346, 1825, 1835, 1857, 2002, 2149, 2158, 2307 and 2313; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,  
Chief Engrossing Clerk.

SIGNED

The Speaker announced that he had signed the following: House Bills Nos. 1346, 1825, 1835, 1857, 2002, 2149, 2158, 2307 and 2313.

Mr. Davis asked to be recorded as voting aye on Senate Bill No. 1969.

## CALENDAR

Mr. Lanier moved that House Bill No. 688 be re-referred to the Committee on Calendar and Rules, which motion prevailed.

House Bill No. 2181 — To amend Section 51-515, Code.

On motion, House Bill No. 2181 was made to conform with Senate Bill No. 1942.

On motion, Senate Bill No. 1942, on same subject, was substituted for House Bill No. 2181.

Mr. Pickering moved that Senate Bill No. 1942 be passed on third and final reading, which motion prevailed by the following vote:

Ayes.....	88
Noes.....	0
Present and not voting .....	2

Representatives voting aye were: Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Sumner), Bussart, Butler, Byrd, Carter, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Martin, Miller, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 88.

Representatives present and not voting were: Chiles and Williams — 2.

A motion to reconsider was tabled.

House Bill No. 1737 — To make certain provisions, absentee voting.

On motion, House Bill No. 1737 was made to conform with Senate Bill No. 1879.

On motion, Senate Bill No. 1879, on same subject, was substituted for House Bill No. 1737.

Mr. Kernell moved that Senate Bill No. 1879 be passed on third and final reading, which motion prevailed by the following vote:

Ayes.....	91
Noes.....	2
Present and not voting .....	1

Representatives voting aye were: Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee,

Ledford, Longley, Love, McAfee, McKinney, Martin, Miller, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 91.

Representatives voting no were: Copeland and Wolfe — 2.

Representative present and not voting was: Ashford — 1.

A motion to reconsider was tabled.

House Bill No. 2173 — To amend Section 56-1148, Code.

On motion, House Bill No. 2173 was made to conform with Senate Bill No. 2249.

On motion, Senate Bill No. 2249, on same subject, was substituted for House Bill No. 2173.

Mr. Kernell moved that Senate Bill No. 2249 be passed on third and final reading, which motion prevailed by the following vote:

Ayes.....	92
Noes.....	0

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Brewer, Buck, Burks, Burleson, Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Martin, Miller, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 92.

A motion to reconsider was tabled.

Mr. Kernell moved that House Bill No. 2188 be placed on the Calendar for Monday, March 27, 1978, which motion prevailed.

House Bill No. 1874 — To regulate funds withheld from employees pay by employers.

Mr. Murphy (Shelby) moved that House Bill No. 1874 be passed on third and final reading, which motion prevailed by the following vote:

Ayes.....	87
Noes.....	0
Present and not voting .....	1

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davis, DeBerry, DePriest, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Miller, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Phillips, Pickering, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Williams, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 87.

Representative present and not voting was: Davidson (Wayne) — 1.

A motion to reconsider was tabled.

House Bill No. 2234 — To amend Chapter 162, Public Acts, 1967.

On motion, House Bill No. 2234 was made to conform with Senate Bill No. 2196.

On motion, Senate Bill No. 2196, on same subject, was substituted for House Bill No. 2234.

Ms. DeBerry moved that Senate Bill No. 2196 be passed on third and final reading, which motion prevailed by the following vote:

Ayes.....	83
Noes.....	0
Present and not voting .....	6

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Cawood, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, Lanier, Lashlee, Ledford, Longley, Love, McAfee, Martin, Miller, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Shockley, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Withers, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 83.

Representatives present and not voting were: Chiles, Richards, Scruggs, Small, Williams and Wolfe — 6.

A motion to reconsider was tabled.

Mr. Rhinehart moved that House Bill No. 2428 be re-referred to the Committee on Calendar and Rules, which motion prevailed.

## RESOLUTIONS LYING OVER

Senate Joint Resolution No. 203 — Relative to requesting, Conference on Handicapped Individuals.

Under the rules, Senate Joint Resolution No. 203 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 240 — Relative to best wishes, B. R. (Buck) Allison.

Under the rules, Senate Joint Resolution No. 240 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 242 — Relative to commending Jonesboro Herald and Tribune.

Under the rules, Senate Joint Resolution No. 242 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 243 — Relative to commending the Tomahawk of Mountain City.

Under the rules, Senate Joint Resolution No. 243 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 245 — Relative to commending Robert H. Montgomery, Jr.

Under the rules, Senate Joint Resolution No. 245 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 246 — Relative to congratulating Venora and Edgar Orman.

Under the rules, Senate Joint Resolution No. 246 was referred to the Committee on Calendar and Rules.

Mr. Hillis moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 530 out of order, which motion prevailed.

House Joint Resolution No. 530 — Relative to determining legislative intent, certain sales and use tax exemptions — By Hillis, Rhinehart, Johnson, Murray (Madison), Burks, Steinhauer, Stallings, Richardson, McAfee, Copeland, Darnell and Mr. Speaker McWherter.

On motion, the rules were suspended for the immediate consideration of the resolution.

Thereupon, House Joint Resolution No. 530 was adopted by the following vote:

Ayes.....	87
Noes.....	0

Representatives voting aye were: Atchley, Bell, Bewley, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Elkins, Ellis, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Martin, Miller, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Phillips, Pickering, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington),

Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 87.

A motion to reconsider was tabled.

Mr. Lashlee moved that the rules be suspended for the purpose of introducing House Resolution No. 155 out of order, which motion prevailed.

House Resolution No. 155 — Relative to studying relationship, parental activities and child behavior — By Lashlee.

On motion, the rules were suspended for the immediate consideration of the resolution.

Thereupon, House Resolution No. 155 was adopted by the following vote:

Ayes.....	88
Noes.....	0

Representatives voting aye were: Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Elkins, Ellis, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Martin, Miller, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Phillips, Pickering, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Shockley, Small, Smith, Spence, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 88.

A motion to reconsider was tabled.

Mr. Webb moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 536 out of order, which motion prevailed.

House Joint Resolution No. 536 — Relative to congratulating Mr. H. R. Malone of Harde-man County — By Webb, Stallings, Watson, Longley and Wolfe.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Webb, the resolution was adopted.

A motion to reconsider was tabled.

## HOUSE BILL ON SENATE AMENDMENT

House Bill No. 1689 — To promote community involvement in and use, public schools.

SENATE AMENDMENT NO. 1

Amend House Bill No. 1689 by substituting the word "may" for the word "shall" wherever "shall" appears in Sections 1 and 2 of the bill as amended.

Mr. Phillips moved that the House concur in Senate Amendment No. 1, which motion prevailed by the following vote:

Ayes.....	86
Noes.....	0

Representatives voting aye were: Atchley, Bell, Bewley, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Elkins, Ellis, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Hillis, Hood, Hurley, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, Love, McKinney, Martin, Miller, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Phillips, Pickering, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter — 86.

A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 2564 — To amend Charter, Humboldt.

SENATE AMENDMENT NO. 1

Amend House Bill No. 2564 by renumbering Sections 17, 18, 19, and 20 on pages 21 and 22 to be Sections 2, 3, 4, and 5 respectively.

AND FURTHER AMEND in Section 5 as renumbered above by deleting the figure "19" and substituting instead the figure "4" and further amend such section by deleting the word and figure "section 3" and substituting instead the word and figure "section 4".

Mr. Fuqua moved that the House concur in Senate Amendment No. 1, which motion prevailed by the following vote:

Ayes.....	88
Noes.....	0

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Elkins, Ellis, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, Love, McKinney, Miller, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson



(Hamilton), Robinson (Washington), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Tanner, Wallace, Watson, Webb, Withers, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter — 88.

A motion to reconsider was tabled.

On motion of Mr. Hood, House Bill No. 2567 was recalled from the Committee on Calendar and Rules.

Mr. Hood moved that the rules be suspended for the immediate consideration of House Bill No. 2567, which motion prevailed.

House Bill No. 2567 — To amend Charter, Kingsport.

Mr. Hood moved that House Bill No. 2567 be passed on third and final reading.

Mr. Hood moved to amend as follows:

#### AMENDMENT NO. 1

Amend House Bill No. 2567 by deleting the amendatory language of Section 2 and by substituting instead the following:

The Board of Mayor and Aldermen shall expressly have the power to delegate to any member of the Board of Mayor and Aldermen, by ordinance, the authority to buy and sell property, both real and personal, subject to final approval by the Board of Mayor and Aldermen.

On motion, the amendment was adopted.

Mr. Hood moved to amend as follows:

#### AMENDMENT NO. 2

Amend House Bill No. 2567 by deleting Section 6 in its entirety and by renumbering the subsequent sections accordingly.

On motion, the amendment was adopted.

Mr. Hood moved to amend as follows:

#### AMENDMENT NO. 3

Amend House Bill No. 2567 by deleting the present Section 16 in its entirety and by substituting instead the following:

SECTION 16. Chapter 76 of the Private Acts of 1917, as amended, is further amended by deleting the words "City Manager" in the third paragraph of Section 1 of Article XX, and by substituting therefor the words "Board of Mayor and Aldermen".

On motion, the amendment was adopted.

Thereupon, House Bill No. 2567, as amended, passed its third and final reading by the following vote:

Ayes.....	85
Noes.....	0

Representatives voting aye were: Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), DeBerry, DePriest, Elkins, Ellis, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, Love, McKinney, Martin, Miller, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Phillips, Pickering, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter — 85.

A motion to reconsider was tabled.

Mr. Wallace moved that the rules be suspended for the immediate consideration of House Bill No. 2538, which motion prevailed.

House Bill No. 2538 — To make certain provisions, Crockett County Quarterly Court.

Mr. Wallace moved that House Bill No. 2538 be passed on third and final reading.

Mr. Wallace moved to amend as follows:

#### AMENDMENT NO. 1

Amend House Bill No. 2538 by adding the following sentence to the end of the amendatory language of Section 1 of the bill:

Provided, however, nothing in this act shall be construed as extending the term of the present Chairman of the Crockett County Quarterly Court.

On motion, the amendment was adopted.

Thereupon, House Bill No. 2538, as amended, passed its third and final reading by the following vote:

Ayes.....	88
Noes.....	0

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Elkins, Ellis, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, Love, McKinney, Martin, Miller, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Hamilton), Robinson (Washington), Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Williams, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter — 88.

A motion to reconsider was tabled.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to transmit to the House, Senate Bills.

2094 — To regulate certain trades and occupations, boards;

2192 — To amend Section 40-2028, Code; both passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos.

248 — Relative to sympathy, Mayor Milton DeVault;

249 — Relative to sympathy, Hugh Grant Nelson;

250 — Relative to proposed amendments, Comprehensive Employment and Training Act of 1973;

251 — Relative to commending Tennessee High School of Bristol basketball team;

252 — Relative to commending Navy veteran Frank H. Anderson;

253 — Relative to commending Archie Griffin, Mike McCoy, Norm Evans, John Small, Sammy Hall, Bobby Richardson and Frank Anderson; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, House Bills Nos.

1965 — To amend Sections 2-1932 and 2-1933, Code;

2206 — To amend Chapter 1, Title 3, Code; both substituted for Senate Bills on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**ENGROSSED BILLS**

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 1754, 1828, 1834, 2019, 2034 and 2389; and House Joint Resolution No. 536; and

find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,  
Chief Engrossing Clerk.

# FURTHER CONSIDERATION OF MOTION FILED UNDER RULE NO. 52

Mr. Martin moved that House Bill No. 338 be recalled from the Committee on Commerce.

Mr. Longley moved the previous question, which motion prevailed by the following vote:

Ayes.....	65
Noes.....	3
Present and not voting .....	8

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bissell, Bragg, Buck, Burks, Burleson, Burnett (Fentress), Bussart, Butler, Carter, Cawood, Chiles, Cobb, Copeland, Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ford (Cocke), Gaia, Gill, Hall, Hood, Hurley, Jensen, Johnson, Lanier, Lashlee, Longley, Love, Miller, Murray (Franklin), Murray (Madison), Naifeh, Nolan, Rhinehart, Richards, Richardson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Work and Yelton — 65.

Representatives voting no were: Ellis, Hillis and Murphy (Davidson) — 3.

Representatives present and not voting were: Bishop, Blackburn, Brewer, Clark, Good, Kernell, King and Mr. Speaker McWherter — 8.

Thereupon, the motion to recall House Bill No. 338 from the Committee on Commerce failed by the following vote:

Ayes.....	44
Noes.....	12
Present and not voting .....	27

Representatives voting aye were: Ashford, Atchley, Bewley, Buck, Burleson, Bussart, Byrd, Carter, Cawood, Chiles, Cobb, Copeland, Dixon, Elkins, Fleming, Ford (Cocke), Gaia, Gill, Good, Hall, Hurley, Jensen, Kernell, Longley, Love, Martin, Miller, Murray (Madison), Nolan, Richards, Richardson, Robinson (Davidson), Scruggs, Shockley, Small, Smith, Spence, Stafford, Starnes, Turner, Wallace, Williams, Wolfe and Wood — 44.

Representatives voting no were: Bell, Blackburn, Fisher, Hillis, Hood, Johnson, Lanier, McKinney, Murray (Franklin), Rhinehart, Stallings and Steinhauer — 12.

Representatives present and not voting were: Bishop, Bissell, Bragg, Burks, Burnett (Fentress), Butler, Clark, Davidson (Wayne), Davis, DePriest, Ellis, Ford (Shelby), Fuqua, King, Lashlee, Murphy (Davidson), Murphy (Shelby), Naifeh, Pruitt, Robinson (Hamilton), Tanner, Watson, Webb, Withers, Work, Yelton and Mr. Speaker McWherter — 27.

## HOUSE BILL ON SENATE AMENDMENTS

House Bill No. 395 — To make certain provisions, teachers' retirement.

## SENATE AMENDMENT NO. 2

Amend House Bill No. 395 by deleting all of the bill, as amended, below the enacting clause, and by substituting instead the following:

Section 1. Beginning July 1, 1977, each retired teacher and retired general employee shall receive a monthly allowance in an amount equal to five percent (5%) of the total retirement allowance received from the state for the month of January, 1977. Such amount shall be in addition to the retirement allowance from the state including the amounts authorized by Tennessee Code Annotated, Section 8-3923. As used in this section, "retired teacher" and "retired general employee" means any retired teacher and any retired employee as defined in Tennessee Code Annotated, Section 8-3901 (17) or 8-3901 (39) and any former teacher or state employee receiving benefits under Section 49-1311, who retired on or before June 30, 1976.

Section 2. Appropriations from the general fund shall be made in a sum sufficient to provide the additional monthly allowance authorized in Section 1.

Section 3. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

Section 4. This act shall take effect on July 1, 1977, the public welfare requiring it.

Mr. McKinney moved that the House concur in Senate Amendment No. 2.

Mr. Bragg moved that the motion to concur in Senate Amendment No. 2 be tabled, which motion failed by the following vote:

Ayes.....	12
Noes.....	69
Present and not voting .....	1

Representatives voting aye were: Ashford, Bell, Bragg, Brewer, Burks, Burleson, Bussart, Chiles, Copeland, Love, Spence and Wallace — 12.

Representatives voting no were: Atchley, Bewley, Bishop, Bissell, Blackburn, Burnett (Fentress), Burnett (Sumner), Butler, Byrd, Carter, Cawood, Clark, Cobb, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Fuqua, Gaia, Good, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, Lanier, Lashlee, Longley, McKinney, Miller, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Phillips, Pickering, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Small, Smith, Stallings, Steinhauer, Tanner, Turner, Watson, Webb, Withers, Wolfe, Work, Yelton and Young — 69.

Representative present and not voting was: Buck — 1.

Thereupon, Amendment No. 2 to House Bill No. 395, was concurred in by the following vote:

Ayes.....	73
Noes.....	9
Present and not voting .....	7

Representatives voting aye were: Atchley, Bell, Bishop, Bissell, Blackburn, Buck, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Clark, Cobb, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, Lanier, Lashlee, Ledford, Longley, McAfee, McKinney, Miller, Murphy (Davidson), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Shockley, Smith, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Watson, Webb, Wood, Work, Yelton and Young — 73.

Representatives voting no were: Bewley, Bragg, Burks, Burleson, Chiles, Copeland, Love, Wallace and Wolfe — 9.

Representatives present and not voting were: Ashford, Brewer, Gill, Good, Robinson (Washington), Spence and Mr. Speaker McWherter — 7.

A motion to reconsider was tabled.

SENATE AMENDMENT NO. 3

Amend House Bill No. 395 by deleting Section 1, as amended, in its entirety and by substituting instead the following:

SECTION 1. (a) Beginning July 1, 1978, each retired teacher and retired general employee who retired prior to July 1, 1976, shall receive a monthly retirement allowance equal to a percentage of the total retirement allowance received in January, 1978, from the state by such teacher or employee as follows:

(1) Persons receiving less than five thousand dollars (\$5,000.00) per annum in total retirement benefits shall receive a monthly allowance equal to seven percent (7%) of their January monthly retirement benefits.

(2) Persons receiving at least five thousand dollars (\$5,000.00) per annum, but not more than eight thousand five hundred dollars (\$8,500.00) per annum in total retirement benefits shall receive a monthly allowance equal to five percent (5%) of their January monthly retirement benefits.

(3) Persons receiving more than eight thousand five hundred dollars (\$8,500.00) per annum in total retirement benefits shall receive a monthly allowance equal to three percent (3%) of their January monthly retirement benefits.

Such amounts shall be in addition to the retirement allowance from the state including the amounts authorized by Tennessee Code Annotated, Section 8-3923.

(b) As used in this section, "retired teacher" and "retired general employee" means any retired teacher and any retired general employee as defined in Tennessee Code Annotated, Section 8-3901 (17) or 8-3901 (39) and any former teacher or state employee receiving benefits under Section 49-1311, who retired on or before June 30, 1976,

AND FURTHER AMEND, by deleting the date "July 1, 1977" in Section 3 and by substituting instead the date "July 1, 1978".

# AMENDMENT NO. 1 TO AMENDMENT NO. 3

Amend Amendment No. 3 by changing the figure "seven percent (7%)" in subsection (1) to read "six percent (6%)".

And further amend by changing the figure "five percent (5%)" in subsection (2) to read "three percent (3%)".

And further amend by changing the figure "three percent (3%)" in subsection (3) to read "two percent (2%)".

And further amend by adding a new subsection which shall read as follows:

"(4) The phrase "total retirement benefits" as used above shall include benefits from both the Tennessee Consolidated Retirement System and from Social Security. The increase in benefits authorized by this section shall be based on the monthly payments made by the Tennessee Consolidated Retirement System".

Mr. McKinney moved that the House concur in Senate Amendment No. 3, as amended, which motion prevailed by the following vote:

Ayes.....	73
Noes.....	9
Present and not voting .....	7

Representatives voting aye were: Atchley, Bell, Bishop, Bissell, Blackburn, Buck, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Clark, Cobb, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, Lanier, Lashlee, Ledford, Longley, McAfee, McKinney, Miller, Murphy (Davidson), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Shockley, Smith, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Watson, Webb, Wood, Work, Yelton and Young — 73.

Representatives voting no were: Bewley, Bragg, Burks, Burleson, Chiles, Copeland, Love, Wallace and Wolfe — 9.

Representatives present and not voting were: Ashford, Brewer, Gill, Good, Robinson (Washington), Spence and Mr. Speaker McWherter — 7.

A motion to reconsider was tabled.

SENATE AMENDMENT NO. 4

Amend House Bill No. 395 by changing the period at the end of Section 1 to a comma and adding the following language:

“provided that for retired general employees of political subdivisions, this allowance may only be granted if the chief governing body of the political subdivision authorizes this credit and accepts the liability therefor and informs the retirement system before June 15, 1978, of their authorization of this credit.”

Mr. McKinney moved that the House concur in Senate Amendment No. 4, which motion prevailed by the following vote:

Ayes.....	73
Noes.....	9
Present and not voting .....	7

Representatives voting aye were: Atchley, Bell, Bishop, Bissell, Blackburn, Buck, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Clark, Cobb, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, Lanier, Lashlee, Ledford, Longley, McAfee, McKinney, Miller, Murphy (Davidson), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Shockley, Smith, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Watson, Webb, Wood, Work, Yelton and Young — 73.

Representatives voting no were: Bewley, Bragg, Burks, Burleson, Chiles, Copeland, Love, Wallace and Wolfe — 9.

Representatives present and not voting were: Ashford, Brewer, Gill, Good, Robinson (Washington), Spence and Mr. Speaker McWherter — 7.

A motion to reconsider was tabled.

Mr. Rhinehart moved the previous question, which motion prevailed by the following vote:

Ayes.....	58
Noes.....	19
Present and not voting .....	3

Representatives voting aye were: Atchley, Bell, Bewley, Bishop, Bissell, Burleson, Burnett (Fentress), Burnett (Sumner), Butler, Byrd, Cawood, Chiles, Clark, Cobb, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Elkins, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Hall, Hillis, Jensen, Johnson, Lanier, Lashlee, Love, McAfee, McKinney, Miller, Murray (Franklin), Murray (Madison), Naifeh, Nolan, Pickering, Pruitt, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Shockley, Stafford, Stallings, Starnes, Steinhauer, Watson, Webb, Wood, Work and Yelton — 58.

Representatives voting no were: Ashford, Bragg, Burks, Bussart, Carter, Dixon, Hurley, Kernell, Ledford, Murphy (Davidson), Richards, Robertson, Scruggs, Smith, Spence, Tanner, Turner, Wallace and Wolfe — 19.



Representatives present and not voting were: Brewer, Good and Mr. Speaker McWherter — 3.

Thereupon, the House concurred in Senate Amendment No. 4 by the following vote:

Ayes.....	73
Noes.....	9
Present and not voting .....	7

Representatives voting aye were: Atchley, Bell, Bishop, Bissell, Blackburn, Buck, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Clark, Cobb, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, Lanier, Lashlee, Ledford, Longley, McAfee, McKinney, Miller, Murphy (Davidson), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Shockley, Smith, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Watson, Webb, Wood, Work, Yelton and Young — 73.

Representatives voting no were: Bewley, Bragg, Burks, Burleson, Chiles, Copeland, Love, Wallace and Wolfe — 9.

Representatives present and not voting were: Ashford, Brewer, Gill, Good, Robinson (Washington), Spence and Mr. Speaker McWherter — 7.

A motion to reconsider was tabled.

#### FURTHER CONSIDERATION OF SENATE BILL NO. 2315

Senate Bill No. 2315 — To amend the Housing Authorities Law.

Mr. Murphy (Davidson) moved that Senate Bill No. 2315 be passed on third and final reading.

Mr. Murphy (Davidson) moved to amend as follows:

#### AMENDMENT NO. 2

Amend Senate Bill No. 2315 in Section 3 by redesignating subsections (4), (5), and (6) as subsections (5), (6), and (7), respectively, and by adding a new subsection (4) as follows:

“(4) The foregoing provisions of subsection (2) and (3) above shall not apply to any redevelopment plan or amendment to an existing plan which included a tax increment financing provision and which has been submitted to and approved by the governing body of the municipality (or agency designating by it or empowered by law so to act) in which any of the area to be covered by the redevelopment project is situated pursuant to and in accordance with the provisions of Section 13-815 prior to the effective date of this Act and said previously approved redevelopment plan or amendment thereto described above shall not be required to be resubmitted and approved by said governing body (or agency) pursuant to the additional provision of subsections (2) and (3) above. Provided, however, that the remaining provisions of this Act shall be applicable to and govern said previously approved plan and the tax increment financing provision contained therein.”

Further amend said Bill in Section 4 by adding a New Subsection (4) to the end thereof as follows:

“(4) Notwithstanding any other provision of Chapters 8 through 11 of Title 13, to the contrary, in order to secure any bonds, notes or other indebtedness incurred by the Authority, the Authority shall have the power to mortgage all or any part of its property, real or personal, then owned or thereafter acquired, and thereby to vest in a trustee or trustees the right, upon the happening of an event of default (as defined in such mortgage), to foreclose such mortgage through judicial proceedings or through the exercise of a power of sale without judicial proceedings.”

Further amend said Bill by redesignating Section 5 to be Section 6 and adding a new Section 5 as follows:

“SECTION 5. If any provision of this Act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to that end the provisions of this Act are declared to be severable.”

“Redevelopment project” shall mean any project involving the improvement of housing conditions by a housing authority through rehabilitation, reconstruction or renovation and shall also mean the construction or reconstruction of facilities such as roads, bridges, and utilities which will serve any redevelopment area.

By redesignating Section 5 to be Section 6 and by adding a new Section 5 as follows:

Section 5. When the value of real property is increased in a given geographical area of a Metropolitan Government as a result of the construction of a bridge project constructed in accordance with a redevelopment project and financed, in whole or in part, by bonds issued by any Metropolitan Government, the increase in the assessments of such real property, in the affected area, over the assessment of such property in the year next preceding the beginning of the project may be recorded and the revenue increase attributable to such increase in value and resulting assessments be placed in a special fund to be applied toward the retirement of the bonds of such Metropolitan Government financing the project. If such revenue increase be placed in such fund, than all subsequent such revenue increases shall continue to be placed in such special fund each year until the bonds are retired and therefore shall be credited to the general fund as all other ad valorem taxes. Such increased assessments on account of increased values may be treated by any such Metropolitan Government as a special assessment as provided in Tennessee Code Annotated, Section 6-1101, et seq.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 2315, as amended, passed its third and final reading by the following vote:

Ayes.....	82
Noes.....	0
Present and not voting .....	2

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burnett (Fentress), Bussart, Byrd, Cawood, Chiles,

Clark, Cobb, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Longley, Love, McKinney, Miller, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Phillips, Pickering, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Shockley, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Sterling, Tanner, Turner, Wallace, Watson, Webb, Withers, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 82.

Representatives present and not voting were: Carter and Wolfe — 2.

A motion to reconsider was tabled.

### HOUSE BILL ON SENATE AMENDMENT

House Bill No. 1792 — To make certain provisions, State employees group insurance.

#### SENATE AMENDMENT NO. 1

Amend House Bill No. 1792 in Section 1 by inserting in the amendatory language between the words "employees" and "group" the word "health".

Mr. Rhinehart moved that the House concur in Senate Amendment No. 1, which motion prevailed by the following vote:

Ayes.....	87
Noes.....	0

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Miller, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Phillips, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Sterling, Tanner, Turner, Wallace, Watson, Webb, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 87.

A motion to reconsider was tabled.

### HOUSE JOINT RESOLUTION ON SENATE AMENDMENT

House Joint Resolution No. 337 — Relative to study, cost of certain hiking-bicycle trails.

#### SENATE AMENDMENT NO. 1

Amend House Joint Resolution No. 337 by adding the following resolving clauses at the end of the resolution:

BE IT FURTHER RESOLVED, that the department of conservation be directed to assist the department of transportation in the study of hiking-bicycle trails.

BE IT FURTHER RESOLVED, that the department of transportation shall report its findings and recommendations on hiking-bicycle trails to the 91st General Assembly no later than January 10, 1979.

Mr. Miller moved that the House concur in Senate Amendment No. 1, which motion prevailed by the following vote:

Ayes.....	87
Noes.....	1

Representatives voting aye were: Ashford, Atchley, Bell, Bishop, Blackburn, Bragg, Brewer, Buck, Burks, Burnett (Fentress), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Longley, Love, McAfee, McKinney, Miller, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Phillips, Pickering, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Sterling, Tanner, Turner, Wallace, Watson, Webb, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 87.

Representative voting no was: Ledford — 1.

A motion to reconsider was tabled.

FURTHER CONSIDERATION OF HOUSE BILL NO. 1962

House Bill No. 1962 — To amend Section 57-135, Code.

Mr. Nolan moved that the motion to reconsider House Bill No. 1962 be lifted from the table, which motion prevailed.

Mr. Nolan moved that the House reconsider its action in passing House Bill No. 1962 on third and final reading, as amended, which motion prevailed.

Mr. Nolan moved that the House reconsider its action in adopting Amendment No. 1, which motion prevailed.

Mr. Nolan moved to amend Amendment No. 1 as follows:

AMENDMENT NO. 1 TO AMENDMENT NO. 1

Amend Amendment No. 1 by deleting the following language from Amendment No. 1:

“by redesignating Sections 15 and 16 to be Sections 16 and 17, and by adding a new Section 15 as follows:

Section 15.”

and by substituting instead the following:

“by deleting Section 1 in its entirety and by substituting instead the following:

Section 1."

On motion, Amendment No. 1 to Amendment No. 1 was adopted.

Thereupon, Amendment No. 1, as amended, was adopted.

Thereupon, House Bill No. 1962, as amended, passed its third and final reading by the following vote:

Ayes.....	89
Noes.....	0

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Good, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Miller, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Phillips, Pickering, Rhinehart, Richards, Richardson, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Sterling, Tanner, Turner, Wallace, Watson, Webb, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 89.

A motion to reconsider was tabled.

Mr. DePriest moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 537 out of order, which motion prevailed.

House Joint Resolution No. 537 — Relative to congratulating Coach Bill Holt, et al — By DePriest.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. DePriest, the resolution was adopted.

A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 2478 — To establish County Attorney, Scott County.

SENATE AMENDMENT NO. 1

Amend House Bill No. 2478 in Section 3 by deleting the figures "1976" and by substituting instead the figures "1978".

Mr. Dixon moved that the House concur in Senate Amendment No. 1, which motion prevailed by the following vote:

Ayes.....	87
Noes.....	0

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Good, Hall, Hillis, Hood, Hurley, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Miller, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Phillips, Pickering, Rhinehart, Richards, Richardson, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Sterling, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter — 87.

A motion to reconsider was tabled.

Mr. Speaker McWherter moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 532 out of order, which motion prevailed.

House Joint Resolution No. 532 — Relative to commending Miss Shelia Adkins, designing official Legislative flag — By Mr. Speaker McWherter, Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Henry, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Martin, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Sterling, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Work, Yelton and Young.

On motion, the rules were suspended for the immediate consideration of the resolution.

Thereupon, House Joint Resolution No. 532 was adopted by the following vote:

Ayes.....	97
Noes.....	0

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Martin, Miller, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Sterling, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 97.

A motion to reconsider was tabled.

Mr. Burnett (Fentress) moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 531 out of order, which motion prevailed.

House Joint Resolution No. 531 — Relative to proclaiming official flag, Tennessee General Assembly — By Mr. Speaker McWherter.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Burnett (Fentress), the resolution was adopted.

A motion to reconsider was tabled.

### MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos.

2168 — To amend Mental Health and Mental Retardation Licensure Law;

2403 — To regulate voting absentee; both passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

### MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.

1852 — To amend Section 57-205, Code;

2412 — To regulate production of oil and gas; both substituted for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

### FURTHER CONSIDERATION OF HOUSE BILL NO. 2255

House Bill No. 2255 — To amend Title 9, Chapter 8, Code.

Mr. Murray (Madison) moved that the House pass House Bill No. 2255, notwithstanding the objections of the Governor, which motion prevailed by the following vote:

Ayes.....	64
Noes.....	9
Present and not voting .....	6

Representatives voting aye were: Atchley, Bewley, Bishop, Blackburn, Bragg, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Butler, Byrd, Carter, Cawood, Chiles, Copeland, Davidson (Robertson), Davidson (Wayne), DePriest, Elkins, Fleming, Ford (Cocke), Ford (Shelby), Good, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, Lanier, Lashlee, Ledford, Longley, McAfee, Miller, Murray (Madison), Naifeh, Nolan, Phillips, Rhinehart,

Richards, Richardson, Robertson, Robinson (Washington), Scruggs, Shockley, Small, Smith, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Wallace, Watson, Webb, Williams, Wolfe, Wood, Yelton and Mr. Speaker McWherter — 64.

Representatives voting no were: DeBerry, Ellis, Fuqua, McKinney, Murphy (Shelby), Murray (Franklin), Robinson (Hamilton), Steinhauer and Withers — 9.

Representatives present and not voting were: Bell, Brewer, Clark, King, Spence and Work — 6.

The Speaker declared House Bill No. 2255 passed, the Governor's objections to the contrary notwithstanding.

## HOUSE BILL ON SENATE AMENDMENTS

House Bill No. 2021 — To enact Obscenity Act of 1978.

### SENATE AMENDMENT NO. 2

Amend House Bill No. 2021 by adding the following words in §39-3005 (e) between the word "Tennessee" and the word "provided" in line 7:

"or any corporation engaged in such a business"

Mr. Scruggs moved that the House concur in Senate Amendment No. 2, which motion prevailed by the following vote:

Ayes.....	74
Noes.....	0

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Blackburn, Bragg, Buck, Burks, Bureson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Copeland, Darnell, Davidson (Robertson), Davis, DePriest, Elkins, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, Lanier, Longley, Love, McAfee, Miller, Murray (Franklin), Murray (Madison), Naifeh, Nolan, Phillips, Pickering, Rhinehart, Richards, Richardson, Robertson, Robinson (Washington), Small, Smith, Stafford, Stallings, Starnes, Steinhauer, Sterling, Tanner, Turner, Wallace, Watson, Webb, Williams, Wolfe, Wood, Yelton, Young and Mr. Speaker McWherter — 74.

A motion to reconsider was tabled.

### SENATE AMENDMENT NO. 4

Amend House Bill No. 2021 in Section 2 of the bill in 39-3005 (j) by inserting after the words "who or which willfully . . ." and before the word "employs", the following words:

"and knowingly"

Mr. Scruggs moved that the House concur in Senate Amendment No. 4, which motion prevailed by the following vote:



Ayes.....	80
Noes.....	0

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Blackburn, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DePriest, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Hillis, Hood, Hurley, Johnson, Kernell, Lanier, Lashlee, Ledford, Longley, Love, McAfee, Miller, Murphy (Davidson), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Small, Smith, Stafford, Stallings, Starnes, Steinhauer, Sterling, Tanner, Turner, Wallace, Watson, Webb, Williams, Wolfe, Wood, Yelton and Mr. Speaker McWherter — 80.

A motion to reconsider was tabled.

SENATE AMENDMENT NO. 5

Amend House Bill No. 2021 in 39-3003(f) by deleting the words “having reason to believe” and substituting in lieu thereof the word “intending”

And also deleting after the words “such real property” the words “is being or will”.

Mr. Scruggs moved that the House concur in Senate Amendment No. 5, which motion prevailed by the following vote:

Ayes.....	75
Noes.....	0

Representatives voting aye were: Ashford, Atchley, Bell, Bishop, Blackburn, Buck, Burks, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Clark, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DePriest, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, Lanier, Lashlee, Longley, McAfee, McKinney, Miller, Murray (Franklin), Murray (Madison), Naifeh, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Small, Smith, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Williams, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter — 75.

A motion to reconsider was tabled.

SENATE AMENDMENT NO. 9

Amend House Bill No. 2021 by deleting from subsection (d) of Section 39-3003 of the amendatory language of Section 2 the words “willfully receives for personal use by commercial dissemination within the state of Tennessee” and substituting instead the following:

willfully receives more than one (1) copy of the same material for personal use and by direct commercial dissemination within the state of Tennessee and who, upon request of a duly commissioned law enforcement officer, refuses to provide a sworn statement and, if requested by the district attorney, at trial give truthful testimony as to the identity of the material, person or entity from whom or which he received the questioned material and all of the circumstances surrounding the receipt of the questioned material.

Mr. Scruggs moved that the House concur in Senate Amendment No. 9, which motion prevailed by the following vote:

Ayes.....	77
Noes.....	0

Representatives voting aye were: Ashford, Bell, Bewley, Bishop, Blackburn, Bragg, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Butler, Byrd, Cawood, Clark, Davidson (Robertson), Davidson (Wayne), Davis, DePriest, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, Lanier, Lashlee, Longley, Love, McAfee, McKinney, Miller, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Phillips, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Small, Smith, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Williams, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 77.

A motion to reconsider was tabled.

#### SENATE AMENDMENT NO. 10

Amend House Bill No. 2021 by deleting subparagraph (2) of subsection (m) of Section 39-3002 of the amendatory language of Section 2 in its entirety.

Mr. Scruggs moved that the House concur in Senate Amendment No. 10, which motion prevailed by the following vote:

Ayes.....	76
Noes.....	1

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Blackburn, Bragg, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Cawood, Chiles, Clark, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, Elkins, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Lanier, Lashlee, Longley, Love, McAfee, McKinney, Miller, Murphy (Davidson), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Phillips, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Small, Smith, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Williams, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 76.

Representative voting no was: Fisher — 1.

A motion to reconsider was tabled.

#### SENATE AMENDMENT NO. 11

Amend House Bill No. 2021 by deleting from subparagraph (1) of subsection (m) of Section 39-3002 of the amendatory language of Section 2 all language of such subparagraph following the words and punctuation marks "during any given twenty-four (24) hour period consists of books, magazines," and substituting instead the following:

periodicals or films pictorially depicting sexual conduct in a patently offensive way; and provided that on any screen at a motion picture house or on any one (1) screen at any motion picture house which has more than one (1) screen there are exhibited films of all types on a regular schedule during at least six (6) days of each calendar week; provided, as to motion picture houses, no persons under eighteen (18) years of age are admitted to any film depicting sexual conduct in a patently offensive way and where no more than thirty percent (30%) of the gross income in any calendar year is derived from sales for admission to such films.

Mr. Scruggs moved that the House concur in Senate Amendment No. 11, which motion prevailed by the following vote:

Ayes.....	83
Noes.....	0

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Blackburn, Bragg, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Cawood, Chiles, Clark, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DePriest, Elkins, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Longley, Love, McAfee, McKinnev, Miller, Murphy (Davidson), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Small, Smith, Stafford, Stallings, Starnes, Steinhauer, Sterling, Tanner, Turner, Wallace, Watson, Webb, Williams, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 83.

A motion to reconsider was tabled.

SENATE AMENDMENT NO. 12

Amend House Bill No. 2021 by adding at the end of Section 39-3005 (e) of the amendatory language of the bill following:

No law enforcement authority possessing probable cause to believe that a person is subject to being charged with any violation of section 39-3003 or with disseminating sexually explicit materials to minors in violation of section 39-1013 shall delay citation or arrest hereunder in order to increase the penalty to which any such person would be subjected upon conviction or in order to keep any such person from coming within the provisions of section 39-3005 (a), (b), (c), (d), or (e). Upon a showing by the defendant of such a delay, any such person so affected shall be subject to the appropriate subsection of this section as though the delay had not occurred, provided, however, that the issuance of a citation or an arrest warrant as to such person shall be deemed a prosecution.

Mr. Scruggs moved that the House concur in Senate Amendment No. 12, which motion prevailed by the following vote:

Ayes.....	81
Noes.....	0

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Blackburn, Bragg, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Cawood, Chiles, Clark, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis,

DeBerry, DePriest, Elkins, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gill, Good, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Longley, Love, McAfee, McKinney, Miller, Murphy (Davidson), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Small, Smith, Stafford, Stallings, Starnes, Steinhauer, Sterling, Tanner, Turner, Wallace, Watson, Webb, Williams, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 81.

A motion to reconsider was tabled.

SENATE AMENDMENT NO. 13

Amend House Bill No. 2021 by adding at the end of section 39-3005 (e) of the amendatory language of the bill the following:

No arrest warrant shall issue charging any person with violation of section 39-3003 or with disseminating sexually explicit materials to minors in violation of section 39-1013, if such person would, if convicted, be eligible for sentencing under section 39-3005 (a), (b), (c), (d), or (e), unless and until a citation in lieu of arrest has been issued pursuant to section 40-827, and such person has either refused to accept such citation, or has been afforded a minimum of forty-eight (48) hours to provide a sworn statement to the district attorney as provided in the applicable subsection of this section. No person cited with an offense as provided herein shall be subjected to fingerprinting, mugged, or other booking procedures, provided, however, a simple photograph may be made; provided, however, that such procedures may be undertaken after an arrest warrant has properly issued pursuant to this section; and provided, however, this provision shall in no way effect the right of any law enforcement officer to make a lawful warrantless arrest.

Mr. Murray (Madison) moved that the House concur in Senate Amendment No. 13, which motion prevailed by the following vote:

Ayes.....	84
Noes.....	0

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Blackburn, Bragg, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Clark, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Elkins, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Longley, Love, McAfee, McKinney, Miller, Murphy (Davidson), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Small, Smith, Stafford, Stallings, Starnes, Steinhauer, Sterling, Tanner, Turner, Wallace, Watson, Webb, Williams, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 84.

A motion to reconsider was tabled.

SENATE AMENDMENT NO. 14

Amend House Bill No. 2021 by inserting in section 39-3002 (m)(1) of the amendatory language of the bill, before the words “more than thirty per cent (30% ) of the stock in trade,...” the following word:

“no”

Mr. Scruggs moved that the House concur in Senate Amendment No. 14, which motion prevailed by the following vote:

Ayes.....	83
Noes.....	0

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Blackburn, Bragg, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Clark, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Elkins, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Longley, Love, McAfee, McKinney, Miller, Murray (Franklin), Murray (Madison), Naifeh, Nolan, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Small, Smith, Stafford, Stallings, Starnes, Steinhauer, Sterling, Tanner, Turner, Wallace, Watson, Webb, Williams, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 83.

A motion to reconsider was tabled.

#### SENATE AMENDMENT NO. 15

Amend House Bill No. 2021 by deleting from section 39-3005 (e) of the amendatory language of the bill, the words and punctuation “or, in the case of a motion picture exhibitor, no more than two (2) films nor the same film more than twice is shown for public exhibition in any five (5) day period which film or films pictorially depict such patently offensive sexual conduct,” and substituting in lieu thereof the following:

“or, that on any screen at a motion picture house or on any one (1) screen at any motion picture house which has more than one (1) screen, there are exhibited films of all types on a regular schedule during at least six (6) days of each calendar week; provided, as to motion picture houses, no persons under eighteen (18) years of age are admitted to any film depicting sexual conduct in a patently offensive way and where no more than thirty percent (30%) of the gross income of such establishment in any calendar year is derived from sales for admission to such films,”

Mr. Scruggs moved that the House concur in Senate Amendment No. 15, which motion prevailed by the following vote:

Ayes.....	87
Noes.....	0

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Blackburn, Bragg, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Elkins, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Longley, Love, McAfee, McKinney, Miller, Murphy (Davidson), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington),

Scruggs, Shockley, Small, Smith, Stafford, Stallings, Starnes, Steinhauer, Sterling, Tanner, Turner, Wallace, Watson, Webb, Williams, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 87.

A motion to reconsider was tabled.

### SENATE AMENDMENT NO. 17

Amend House Bill No. 2021 by deleting the period after the first sentence of Section 39-3017 of the amendatory language of Section 2 and inserting the following:

, provided that such materials shall be contraband only in the county where the jury returned the verdict unless the verdict is appealed, in which case, if the verdict is affirmed on appeal, the material shall be deemed contraband throughout the state for three (3) years after the last affirmance by the highest appellate court to review the verdict.

Mr. Murray (Madison) moved that the House concur in Senate Amendment No. 17, which motion prevailed by the following vote:

Ayes.....	86
Noes.....	0

Representatives voting aye were: Ashford, Atchley, Bell, Bishop, Blackburn, Bragg, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Miller, Murphy (Davidson), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Small, Smith, Stafford, Stallings, Starnes, Steinhauer, Sterling, Tanner, Turner, Wallace, Watson, Webb, Williams, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 86.

A motion to reconsider was tabled.

### SECOND ROLL CALL

A roll call was taken with the following results:

Present .....	94
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Representatives present were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Miller, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Sterling, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 95.

## INTRODUCTION OF RESOLUTIONS

House Joint Resolution No. 529 — Relative to honoring Mrs. Peggy Steine — By Murphy (Davidson).

Under the rules, House Joint Resolution No. 529 was referred to the Committee on Calendar and Rules.

House Resolution No. 145 — Relative to commending faculty and students, Gower School, Davidson County — By Murphy (Davidson).

Under the rules, House Resolution No. 145 was referred to the Committee on Calendar and Rules.

House Resolution No. 146 — Relative to congratulating new board members, Police Benefit Association — By Murphy (Davidson).

Under the rules, House Resolution No. 146 was referred to the Committee on Calendar and Rules.

House Resolution No. 147 — Relative to directing investigation, fences on Interstate 75 — By Richards.

The Speaker referred House Resolution No. 147 to the Committee on Transportation.

House Resolution No. 149 — Relative to congratulating Bellevue High School basketball team — By Murphy (Davidson).

Under the rules, House Resolution No. 149 was referred to the Committee on Calendar and Rules.

House Resolution No. 153 — Relative to honoring Alberta Hunter of Memphis — By Martin, DeBerry, Brewer, Kernell, Byrd, Turner, Williams, Gaia and Ford (Shelby).

Under the rules, House Resolution No. 153 was referred to the Committee on Calendar and Rules.

Messrs. Young, Bussart, Burnett (Sumner) and Jensen moved that Rule No. 75 be suspended in regard to House Bills Nos. 2584, 2585, 2586 and 2587, respectively, to allow said bills to be introduced and considered by the House in the same manner as bills introduced before January 30, 1978, which motion prevailed.

## INTRODUCTION OF BILLS

House Bill No. 2584 — To amend Chapter 323, Private Acts, 1972 — By Young and Phillips.

Passed first reading.

House Bill No. 2585 — To amend Charter, Fayetteville — By Bussart.

Passed first reading.

House Bill No. 2586 — To grant certain power, county court clerk, Sumner County — By Burnett (Sumner) and Steinhauer.

Passed first reading.

House Bill No. 2587 — To amend Sections 8-2512 and 8-2513, Code — By Jensen.

Passed first reading.

#### SENATE BILLS ON FIRST READING

Senate Bill No. 550 — To create new offices, Fourteenth Judicial Circuit.

Passed first reading.

Senate Bill No. 819 — To create additional office, Seventh Judicial Circuit.

Passed first reading.

Senate Bill No. 2166 — To provide licensing professionals, occupational therapy.

Passed first reading.

Senate Bill No. 2262 — To amend Section 9-113, Code.

Passed first reading.

Senate Bill No. 2474 — To amend Sections 53-2601 and 53-2603, Code.

Passed first reading.

#### HOUSE BILLS ON SECOND READING

House Bill No. 2571 — To amend Chapter 37, Private Acts, 1969.

Passed second reading and held without reference.

House Bill No. 2572 — To create County Planning Commission, Blount County.

Passed second reading and held without reference.

House Bill No. 2574 — To repeal Chapter 22, Private Acts, 1969.

Passed second reading and held without reference.

House Bill No. 2575 — To make certain provisions, transportation of hazardous materials.

Passed second reading and referred to Committee on Transportation.

House Bill No. 2576 — To provide for election of road supervisor, Morgan County.

Passed second reading and held without reference.

House Bill No. 2577 — To levy wheel tax, Humphreys County.



Passed second reading and held without reference.

House Bill No. 2578 — To implement amendments to Constitution pertaining to county officials.

Passed second reading and referred to Committee on State and Local Government.

House Bill No. 2579 — To implement certain amendments to Constitution.

Passed second reading and referred to Committee on State and Local Government.

House Bill No. 2581 — To amend Code, McNairy County Purchasing Agency.

Passed second reading and held without reference.

House Bill No. 2582 — To amend sales and use taxes, nurserymen and farmers.

Passed second reading and referred to Committee on Finance, Ways and Means.

House Bill No. 2583 — To create budget system, Henry County.

Passed second reading and held without reference.

#### REPORT OF COMMITTEE ON CALENDAR AND RULES

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Calendar for Thursday, March 23, 1978: House Bill No. 1769, Senate Bill No. 1179, House Bills Nos. 1735, 2194, House Joint Resolution No. 451, House Bills Nos. 2123, 2370, 1932, 1933, 2185, 2277, 2225, 2341, 1535, 2097 and 2178.

LANIER, Chairman.

#### MOTIONS

On motion of Mr. Yelton, House Bill No. 2339 was recalled from the Committee on State and Local Government.

On motion of Mr. Yelton, House Bill No. 2339 was withdrawn from the House.

On motion of Mr. Tanner, House Bill No. 2192 was recalled from the Committee on Judiciary.

On motion of Mr. Tanner, House Bill No. 2192 was withdrawn from the House.

#### SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors to the bills as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 989 — Carter, DePriest, Fuqua, Hurley, Scruggs, Elkins

House Bill No. 1962 — Ledford

House Bill No. 2019 — Bissell, Hurley, Atchley, Robertson, Robinson (Washington), Ford (Cocke), Good, Elkins, Carter, Richardson, Blackburn, Miller, Burnett (Sumner), Bragg, Longley, McAfee, Murray (Madison), Bell, Yelton, Nolan, Burnett (Fentress), Turner, Hood, Scruggs, Gill, Kernell, Smith, Richards, Darnell, Copeland, Stallings, Hillis, Work, DePriest, Burleson, Bewley, Wood, Hall, Phillips, Young, Buck, Robinson (Hamilton), Fuqua, Pickering, Gaia

## LOCAL BILLS REFERRED TO CALENDAR AND RULES

In accordance with Rule No. 47, the following local bills, having received authorization for passage by the local legislative delegation, were transmitted to the Committee on Calendar and Rules: House Bills Nos. 2574, 2576 and 2577.

## REPORT OF COMMITTEE ON CALENDAR AND RULES

### CONSENT CALENDAR

MR. SPEAKER: The officers of your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Consent Calendar for Thursday, March 23, 1978: House Bills Nos. 1677, 2507, 1019, House Joint Resolutions Nos. 413, 417, House Bills Nos. 2164, 2377, 2402, 2406, 2466, 2440, 1946, House Joint Resolutions Nos. 367, 389, 404, House Bills Nos. 2506, 1893, 480, 2443, Senate Joint Resolutions Nos. 217, 221, 222, 223, 224, 228, 229, 230, 231, 238, House Resolutions Nos. 123, 124, 130, 131, House Joint Resolutions Nos. 368, 386, 475, 476, 477, 480, 386, 488, 489, 490, 491, 492, 493, 494, 504, 505, 506, House Bills Nos. 1781, 2504, 2520, 2533, 2539, 2541, 2542, 2544, 2545, 2547, 2548, 2551, 2552, 2553, 2554, 2555, 2556, 2559, 2562, 2563, and Senate Bill No. 2477, Senate Joint Resolution No. 216, House Bills Nos. 1780, 2073, 2516, 2519, 2565, 2566, 2568 and 2570, Senate Joint Resolutions Nos. 210, 218, 225, 240, 242, 243, 245, 246, House Resolutions Nos. 118, 122, 134, 136, 137, 143, 145, 146, 149, 153, House Joint Resolutions Nos. 513, 519, 526, 529, House Bill Nos. 2079, 2574, 2576 and 2577.

LANIER, Chairman.

### ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 1874, 1962, 2538 and 2567; and House Joint Resolutions Nos. 530, 531, 532 and 537; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,  
Chief Engrossing Clerk.

On motion of Mr. Burnett (Fentress), the House adjourned until 9:00 a.m. tomorrow.